

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA

v.

NATETH SKYE SILK,
ARDEN HARRY LITTLE EAGLE JR.,
and MEMPHIS IKAICA KAMAKANI
KUNTZ

SUPERSEDING
INDICTMENT

Case No. 1:23-cr-183

Violations: 18 U.S.C. §§ 113(a)(i),
113(a)(3), 113(a)(6), 1111, 1512(c)(1),
1153 and 2

COUNT ONE

Assault Resulting in Serious Bodily Injury

The Grand Jury Charges:

On or about May 4, 2023, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

NATETH SKYE SILK,
ARDEN HARRY LITTLE EAGLE JR., and
MEMPHIS IKAICA KAMAKANI KUNTZ

Indians, individually, and by aiding and abetting, did assault Elijah Red Tomahawk, which assault resulted in serious bodily injury to Elijah Red Tomahawk;

In violation of Title 18, United States Code, Sections 113(a)(6), 1153, and 2.

COUNT TWO

Assault With a Dangerous Weapon

The Grand Jury Further Charges:

On or about May 4, 2023, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

NATETH SKYE SILK,
ARDEN HARRY LITTLE EAGLE JR., and
MEMPHIS IKAIKA KAMAKANI KUNTZ

Indians, individually, and by aiding and abetting, did assault Elijah Red Tomahawk with a dangerous weapon, namely, one or more knives, machete, skateboard, and garden hoe-like object, with intent to do bodily harm;

In violation of Title 18, United States Code, Sections 113(a)(3), 1153, and 2.

COUNT THREE

Assault With Intent to Commit Murder

The Grand Jury Further Charges:

On or about May 4, 2023, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

NATETH SKYE SILK,
ARDEN HARRY LITTLE EAGLE JR., and
MEMPHIS IKAICA KAMAKANI KUNTZ

Indians, individually, and by aiding and abetting, did assault Elijah Red Tomahawk with intent to murder Elijah Red Tomahawk;

In violation of Title 18, United States Code, Sections 113(a)(1), 1153, and 2.

COUNT FOUR

Second Degree Murder in Indian Country

The Grand Jury Further Charges:

On or about May 4, 2023, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

NATETH SKYE SILK,
ARDEN HARRY LITTLE EAGLE JR., and
MEMPHIS IKAIKA KAMAKANI KUNTZ

Indians, individually, and by aiding and abetting, did knowingly, and with malice aforethought, unlawfully kill another, namely, Elijah Red Tomahawk;

In violation of Title 18, United States Code, Sections 1111, 1153, and 2.

COUNT FIVE

Tampering

The Grand Jury Further Charges:

On or about May 4, 2023, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

MEMPHIS IKAICA KAMAKANI KUNTZ,

knowingly did, and attempted to, alter, destroy, and conceal the integrity of text messages with the intent to impair the availability of the information in an official proceeding;

In violation of Title 18, United States Code, Section 1512(c)(1).

COUNT SIX

Tampering

The Grand Jury Further Charges:

On or about May 4, 2023, in the District of North Dakota, in Indian country, and within the exclusive jurisdiction of the United States,

MEMPHIS IKAICA KAMAKANI KUNTZ,

knowingly did, and attempted to, alter, destroy, and conceal the body of Elijah Red Tomahawk with the intent to hide the body from law enforcement with the intent to impair the availability of the body in an official proceeding;

In violation of Title 18, United States Code, Section 1512(c)(1).

A TRUE BILL:

/s/ Foreperson

Foreperson

/s/ Mac Schneider

MAC SCHNEIDER

United States Attorney

BSR/tmg